IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO.719 OF 2006

In

CHAMBER SUMMONS NO.569 OF 2002

In

SUIT NO.199 OF 1975

Dhananjaisingh Raghurajsingh : Appellant

(Orig. Defendant no.1)

V/s.

Indrabahadursingh Vishwanathsingh

(since deceased) & Ors. : Respondents

...

Mr.M.P.S.Rao with Mr.M.L.Bansal for the appellant.

...

CORAM : R.M.LODHA & S.A.BOBDE,JJ.

DATE : OCTOBER 3, 2006.

P.C.

1. We heard Mr.M.P.S.Rao, the counsel for the appellant, and perused the order dated 21.4.2006 impugned in the present appeal.

2. By the impugned order, the learned Chamber Judge has condoned the delay in making the application for bringing on record the legal representatives of the deceased

plaintiff, set aside the abatement and permitted the applicant nos.1(a) to 1(f) to be substituted in place of the deceased plaintiff and consequential amendment.

3. The order does not suffer from any jurisdictional error or law warranting interference by us in appeal.

4. Appeal is dismissed in limine.

R.M. LODHA, J.

S.A. BOBDE, J.